

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: ALLEGHENY

MDJ: Hon. SCOTT H SCHRICKER
Magisterial District Number: 05-2-47
Address: 100 PENN PLAZA SHOPPING CENTE
PENN AVENUE
TURTLE CREEK, PA 15145
Phone: 412.824.6201



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA
VS.

DEFENDANT:
PATRICIA

(NAME and ADDRESS):
PANGIKAS

First Name Middle Name Last Name Gen.
179 SUNSET DRIVE PITTSBURGH, PA 15235

NCIC Extradition Code Type

Felony - Full Extradition

Distance: _____

DEFENDANT IDENTIFICATION INFORMATION

Docket Number <u>CR-16-19</u>	Date Filed <u>1-8-19</u>	OTN/LiveScan Number <u>G 827628-4</u>	Complaint/Incident Number <u>G-341-17</u>	Request Lab Services? <input type="checkbox"/> Yes
GENDER FEMALE	DOB <u>08/16/1952</u>	POB	Add'l DOB	Co-Defendant(s) <input type="checkbox"/>
RACE WHITE	First Name Middle Name Last Name Gen.			
ETHNICITY	AKA			
HAIR COLOR	EYE COLOR <u>GRN (GREEN)</u>			
DNA	DNA Location			WEIGHT (lbs.)
FBI Number	MNU Number		Ft. HEIGHT In.	
Defendant Fingerprinted				
Fingerprint Classification				
DEFENDANT VEHICLE INFORMATION				
Plate #	State	Hazmat	Registration Sticker (MM/YY)	Comm'l Veh. Ind.
VIN	Year	Make	Model	Style
			Oth. NCIC Veh. Code	Reg. Same as Def. <input type="checkbox"/>

Office of the attorney for the Commonwealth ☐ Approved ☐ Disapproved because: _____

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507).

name of the attorney for the Commonwealth)

(Signature of the attorney for the Commonwealth)

(Date)

I, JESSICA VON VOIGT

45278

(Name of the Affiant)

(PSP/MPOETC -Assigned Affiant ID Number & Badge #

of DISTRICT ATTORNEYS DETECTIVES

PA002013A

(Identify Department or Agency Represented and Political Subdivision)

(Police Agency ORI Number)

do hereby state: (check appropriate box)

1. X I accuse the above named defendant who lives at the address set forth above
I accuse the defendant whose name is unknown to me but who is described as _____

I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have, therefore, designated as John Doe or Jane Doe

with violating the penal laws of the Commonwealth of Pennsylvania at 467 TURTLE CREEK BORO
(Subdivision Code) (Place-Political Subdivision)

In Allegheny County

02
(County Code)

on or about 01/09/2014



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number G 827628-4	Complaint/Incident Number G-341-17
Defendant Name	First: PATRICIA	Middle:	Last: PANGIKAS

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.
(Set forth a **brief** summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. In addition, social security numbers and financial information (e.g. PINS) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§213.1 – 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903						
X	1	3921	A	of the	18	1	F2		
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)		Accident Number				<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone	
Statute Description/Acts of the accused associated with this Offense:									
18 3921A THEFT BY UNLAWFUL TAKING F2 1 COUNT The actor unlawfully took, or exercised unlawful control over movable property, namely U.S. currency totaling approximately \$319,607.87, with a total value greater than or equal to \$100,000 and less than \$500,000 from Mary Sietam, with the intent to deprive the owner thereof, in violation of 18 Pa. C.S. §3921(a).									

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903						
	2	3925	A	of the	18	1	F3		
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)		Accident Number				<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone	
Statute Description/Acts of the accused associated with this Offense:									
18 3925A RECEIVING STOLEN PROPERTY F3 1 COUNT The actor intentionally received, retained, or disposed of movable property, namely U.S. currency totaling approximately \$319,607.87 belonging to Mary Sietam knowing that it had been stolen, or believing that it had probably been stolen and without intent to restore it to the owner thereof, in violation of 18 Pa.C.S. §3925(a).									



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number G 827628-4	Complaint/Incident Number G-341-17
Defendant Name	First: PATRICIA	Middle:	Last: PANGIKAS

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903						
Lead?	3	4113	A	of the	18	1	M2		
Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code		
PennDOT Data (if applicable)		Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description/Acts of the accused associated with this Offense:									
18 4113A MISAPPLICATION OF ENTRUSTED PROPERTY AND PROPERTY OF GOVERNMENT OR FINANCIAL INSTITUTIONS M2 1 COUNT									
The actor applied or disposed of property, namely U.S. currency totaling approximately \$319,607.87, that had been entrusted to the actor as a fiduciary, or property of the government or of a financial institution, in a manner which said actor knew was unlawful and involved substantial risk of loss or detriment to the owner of the property or to a person for whose benefit the property was entrusted, in violation of 18 Pa.C.S.§4113(a).									



POLICE CRIMINAL COMPLAINT

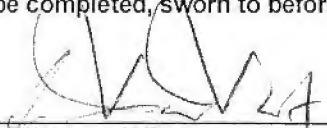
Docket Number:	Date Filed:	OTN/LiveScan Number G 827628-4	Complaint/Incident Number G-341-17
Defendant Name	First: PATRICIA	Middle:	Last: PANGIKAS

2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA.C.S. §4904) relating to unsworn falsification to authorities.
4. This complaint is comprised of the preceding page(s) numbered through
5. I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.

(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

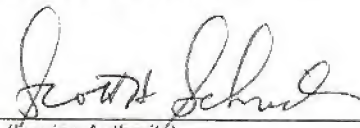
(Date)


(Signature of Affiant)

AND NOW, on this date 1-8-19 I certify that the complaint has been properly completed and verified.

An affidavit of probable cause must be completed before a warrant can be issued.

05-2-47
(Magisterial District Court Number)


(Issuing Authority)

SCOTT H. SCHRICKER,
MAGISTERIAL DISTRICT JUDGE
MAGISTERIAL DISTRICT 05-2-47
MY COMMISSION EXPIRES ON THE
FIRST MONDAY IN JANUARY, 2022

**POLICE CRIMINAL COMPLAINT**

Docket Number:	Date Filed:	OTN/LiveScan Number G 827628-4	Complaint/Incident Number G-341-17
Defendant Name	First: PATRICIA	Middle:	Last: PANGIKAS

AFFIDAVIT of PROBABLE CAUSE**1. WHEN:**

- a) Date when Affiant received information:

07/11/2017

- b) Date when the source of information (Police Officers, Informant, Victim, Co-Defendant, Defendant, etc.) received information:

2. HOW:

- a) How Affiant knows this particular person committed crime: (personal observation, defendant's admissions, etc.):

- b) How the source of information knows this particular person committed the crime:

- c) How both Affiant and/or source of information knows that a particular crime has been committed:

3. WHAT CRIMES:

18 3921 A THEFT BY UNLAWFUL TAKING

18 4113 A MISAPPLICATION OF ENTRUSTED PROPERTY AND PROPERTY OF GOVERNMENT OR FINANCIAL

18 3925 A RECEIVING STOLEN PROPERTY

4. WHERE CRIME(S) COMMITTED:

TURTLE CREEK, PA

5. WHY AFFIANT BELIEVES THE SOURCE OF INFORMATION:

- X Source is presumed reliable, i.e. other Police Officer, Eyewitness, Victim of Crime, etc.

Source has given information in the past which has led to arrest and/or conviction

Defendant's reputation for criminal activity

This source made declaration against his/her penal interest to the above offense

- X Affiant and/or other Police Officers corroborated details of the information



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number G 827628-4	Complaint/Incident Number G-341-17
Defendant Name	First: PATRICIA	Middle:	Last: PANGIKAS

Your Affiant, Jessica Von Voigt is a Detective with the Allegheny County District Attorney's Office and has been so since September 21, 2015. Your Affiant holds a Masters degree in Fraud and Forensics from Carlow University and is also a Certified Fraud Examiner (CFE). Your Affiant has assisted in the investigation, detection, and prosecution of financial crime cases for the Allegheny County District Attorney's Office for approximately one (1) and a half years prior to becoming a Detective. As such, your Affiant has experience in the investigation and prosecution of white collar crime.

On or about Tuesday, July 11, 2017 your Affiant was assigned an investigation referred by Department of Aging Investigator, Carol Catanzaro. Catanzaro provided the following information:

Mary Sietam was incapacitated and resided at LGAR Heath & Rehabilitation located in Turtle Creek, PA from November of 2013 through July 10, 2018 when she passed away.

Patricia Pangikas (the actor) was Sietam's daughter. The actor was appointed as Sietam's Agent under a Power of Attorney (POA) dated August 12, 2010. Catanzaro provided your Affiant with a copy of the signed Durable POA dated August 12, 2010. A review of this document by your Affiant showed that the actor signed an ACKNOWLEDGEMENT OF AGENT page which read:

- '1. I shall exercise the powers for the benefit of the principal.
2. I shall keep the assets of the principal separate from my assets.
3. I shall exercise reasonable caution and prudence.
4. I shall keep a full and accurate record of all actions, receipts and disbursements on behalf of the principal.'

Catanzaro learned that as POA, the actor made some of the required payments for Sietam's care at LGAR. However, the actor had purportedly not made a payment since October of 2015 and LGAR was owed approximately \$168,370.57 while the actor was POA. Catanzaro stated that the cost of care for Sietam was approximately \$7,750.00 per month. Your Affiant learned that LGAR is currently owed approximately \$234,259.53 for Sietam's care.

Sietam's income included approximately \$1,085.00 per month in Social Security and \$324.00 per month from a pension. LGAR became the representative payee for Sietam's Social Security income when they applied for Medical Assistance for Sietam. On July 5, 2017, Ursuline Senior Services was appointed as Sietam's legal guardian.

Catanzaro stated that as Sietam's Agent under the POA, the actor withdrew monies from six (6) institutions wherein Sietam held accounts that did not appear to be for Sietam's benefit. Catanzaro discovered that the actor cashed out the Sietam's two (2) Certificate of Deposit (CD) and three (3) Retirement accounts held at PNC Bank, a Wells Fargo investment account, numerous bonds, an Annuity held at ING Financial Services (now Voya Insurance & Annuity Company), a life insurance policy held at Transamerica, and an investment account held at Eaton Vance, all of which totaled approximately \$345,644.59.

Catanzaro reviewed Sietam's checking account held at PNC Bank which showed the funds cashed in from the above mentioned institutions deposited into Sietam's account. Thereafter, beginning in January of 2014, there were numerous checks drawn on Sietam's account payable to cash which were endorsed by the actor, totaling approximately \$224,900.00. Additionally, Catanzaro stated that there were several payments from Sietam's PNC Bank checking account that did not appear to be for the benefit of Sietam, which included payments to contractors, the actor's immediate family members, utilities and payments for a vehicle.

Your Affiant received Sietam's PNC Bank records from October 9, 2010 through October 11, 2017 via a valid search warrant. A review of these records by your Affiant revealed that from December 1, 2010 through April 28, 2015 there were deposits into Sietam's PNC Bank account from Sietam's two (2) Certificate of Deposit (CD) and three (3) Retirement accounts held at PNC Bank, numerous bonds, an Annuity held at ING Financial Services (now Voya Insurance & Annuity Company), a life insurance

**POLICE CRIMINAL COMPLAINT**

Docket Number:	Date Filed:	OTN/LiveScan Number G 827628-4	Complaint/Incident Number G-341-17
Defendant Name	First: PATRICIA	Middle:	Last: PANGIKAS

policy held at Transamerica, and an investment account held at Eaton Vance, all of which totaled approximately \$399,893.51. It should be noted that the HH Bonds that were deposited into Sietam's PNC Bank account, totaling approximately \$46,848.75, were titled in the name of Sietam or the actor. Furthermore, on September 4, 2015, there was an additional deposit of approximately \$53,313.57 into Sietam's PNC Bank checking account from the sale of Sietam's home. There were additional deposits into this PNC Bank account from Sietam's income from Social Security and a pension, which totaled approximately \$99,004.64 from November 3, 2013 through July 3, 2017.

From November 25, 2013 through July 3, 2017, when Sietam was in LGAR, there were approximately 70 checks payable cash totaling approximately \$241,700.00, which did not appear to be for the benefit of Sietam drawn on Sietam's PNC Bank accounts. A review of the backs of these cancelled checks by your Affiant revealed that the actor endorsed these checks. Additionally, there were checks and payments totaling approximately \$86,328.44, which did not appear to be for the benefit of Sietam including payments/checks to American Express, the actor's family members, contractors, an attorney, First Commonwealth, Keystone Collection, Monroeville KIA, Nationwide Mutual, and the Home Depot. It should be noted that the balance of Sietam's PNC Bank account as of November 1, 2013, prior to Sietam being admitted to LGAR, was approximately \$20,205.11. From December 3, 2013 to April 28, 2015, approximately \$442,050.78 was deposited into Sietam's PNC Bank account from Sietam's additional accounts held at PNC Bank, ING Financial, Transamerica, Eaton Vance, numerous bonds, and from the sale of Sietam's home. Thereafter, the actor utilized these funds for her own personal benefit and not for the benefit of Sietam, thus, the balance as of July 5, 2017, when Ursuline Senior Services was appointed as Sietam's guardian was approximately \$35.72.

It also should be noted that from November 15, 2010 through January 14, 2013, prior to Sietam residing in LGAR, there were approximately 29 checks totaling approximately \$6,550.00 payable to the actor and her immediate family members drawn on Sietam's PNC Bank account. All of these 29 checks were signed by Sietam. After Sietam was admitted to LGAR in November of 2013, there were approximately 102 checks totaling approximately \$319,689.94 drawn on Sietam's PNC Bank account from November 18, 2013 through July 3, 2017 payable to the actor's immediate family members, contractors, and cash, which did not appear to be for the benefit of Sietam. All of these checks were signed by the actor as Sietam's POA. Additionally, all 70 checks payable to cash were endorsed by the actor and deposited into the actor's personal Citizen's Bank account.

Your Affiant received the Citizens Bank records titled in the name of the actor from September 8, 2011 through August 23, 2017 via a valid search warrant. A review of these records by your Affiant revealed that all 70 checks payable to cash drawn on Sietam's PNC Bank account were deposited into the actor's Citizens Bank account, totaling approximately \$241,700.00. Thereafter, the actor utilized Sietam's money for her own personal benefit and not for the benefit of Sietam including but not limited to purchases/payments to credit cards, ATM withdrawals, utilities, lawn care, contractors, medical expenses, grocery stores, and home improvement stores. Furthermore, there were deposits into the actor's Citizens Bank account from companies including but not limited to First Clearing LLC, Alliance Bernstein, Allstate, CBS, Federated Liberty US MMK Trust, and Morgan Stanley totaling approximately \$66,707.81 from October 28, 2013 through July 5, 2017. All of these check deposits were payable to Sietam, however the actor deposited them into her own personal bank account held at Citizens Bank as Sietam's POA and utilized them not for the benefit of Sietam. A further review of these records by your Affiant showed there were payments to LGAR for Sietam's care totaling approximately \$2,335.50.

A further review of the actor's Citizens Bank account revealed that there were several instances wherein the actor deposited a fraudulent check from Sietam's PNC Bank account and thereafter made a large payment/check withdraw that otherwise the actor did not have enough funds in her Citizens Bank account without the deposit from Sietam's account.

Your Affiant asserts that the actor, as Sietam's POA, from January 9, 2014 through July 5, 2017, diverted approximately \$319,607.87 of Sietam's money for her own personal benefit without the knowledge or consent of Sietam. It should be noted that from October 28, 2013 through January 6, 2014, the actor diverted approximately an additional \$17,605.63 of Sietam's money for



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number G 827628-4	Complaint/Incident Number G-341-17
Defendant Name	First: PATRICIA	Middle:	Last: PANGIKAS

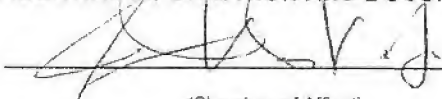
her own personal benefit.

Your Affiant asserts that as Sietam's POA, the actor had a fiduciary responsibility to safeguard Sietam's assets and utilize them only for Sietam's benefit, including payments for Sietam's care at LGAR. Your Affiant asserts that LGAR is currently owed approximately \$234,259.53 for Sietam's care during the time she resided at LGAR. The actor breached that fiduciary responsibility when she executed and negotiated hundreds of thousands of dollars of checks payable to cash, made purchases and payments for her own personal benefit, and when she deposited tens of thousands of dollars' worth of checks payable to Sietam into her own personal Citizens Bank account not for the benefit of Sietam and without Sietam's knowledge or consent.

Your Affiant asserts that probable cause exists for the issuance of process namely an arrest warrant for the herein named actor on the charges of Theft by Unlawful Taking (18 Pa. C.S.A. Section 3921 (a)), Misapplication of Entrusted Property (18 Pa. C.S.A. Section 4113(a)), and Receiving Stolen Property (18 Pa. C.S.A. Section 3925 (a)).

I, JESSICA VON VOIGT, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.


(Signature of Affiant)

Sworn to me and subscribed before me this 8 day of January 2019
1/8/19 Date Scott H. Schricker, Magisterial District Judge

My commission expires first Monday of January,

SCOTT H. SCHRICKER,
MAGISTERIAL DISTRICT JUDGE
MAGISTERIAL DISTRICT 05-2-47
MY COMMISSION EXPIRES ON THE
FIRST MONDAY IN JANUARY, 2022